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Attorneys for Plaintiff

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON**

LAWRENCE DARREN MOLDER,

Plaintiff,

v.

BNSF RAILWAY CO.,

Defendant.

NO. 2:18-CV-00257

**Motion to Withdraw Plaintiff's De
Bene Esse Deposition of Dr. Bret
Dirks and Motion to Expedite**

PLEASE TAKE NOTICE that Plaintiff respectfully withdraws the Motion to take Doctor Bret Dirks' *De Bene Esse* Deposition [ECF. 87] as well as the Plaintiff's Motion to Expedite [ECF. 88] that were both filed on August 19, 2019. Both parties have met and conferred and have resolved the issue. Opposing Counsel does not object to this Motion.

Plaintiff respectfully request this Court take the hearing in regard to the Motion to Expedite currently set for August 26, 2019, at 10:00 a.m. off its calendar.

Motion to Withdraw Plaintiff's De Bene Esse Deposition of
Dr. Bret Dirks and Motion to Expedite

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2 DATED: August 21, 2019

THE MOODY LAW FIRM

3 /s/ Nicholas D. Thompson
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16 **Counsel for Plaintiff**

Certificate of Service

17 The undersigned hereby certifies that he sent a true and correct copy of the above and
18 foregoing document was served via email on August 21, 2019 to the following:

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MICHAEL CHAIT
HALEY VENTOZA

/s/ Nicholas D. Thompson

CERTIFICATE OF SERVICE

I am over the age of 18 and not a party to this action. I am the paralegal to an attorney with The Moody Law Firm, Inc., whose address is 500 Crawford Street, Suite 200, Portsmouth, VA 23704.

I hereby certify that a true and complete copy of PLAINTIFF'S RESPONSE IN OPPOSITION TO DEFENDANT'S MOTION FOR JUDGMENT ON THE PLEADINGS PURSUANT TO FEDERAL RULE OF CIVIL PROCEDURE 12(C) has been filed with the United State District Court via ECF system, which gives automatic notification to the following interested parties:

Michael E. Chait
Montgomery Scarp & Chait PLLC
1218 3rd Avenue
Suite 2500
Seattle, WA 98101
mike@montgomeryscarp.com

Attorney for Defendant

I declare under penalty under the laws of the United States of America that the foregoing information is true and correct.

DATED this 10th day of January, 2019, at Portsmouth, Virginia.

/s/ Christina Dorazio
Christina Dorazio, Paralegal